

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Kelvin Alvin Lashley

Debtor

DLJ Mortgage Capital, Inc.

Movant

vs.

Kelvin Alvin Lashley

Kenneth E. West, Trustee

Respondents

BK NO. 24-10595 AMC

Chapter 13

Hearing Date: 06/20/2024

**OBJECTION OF DLJ MORTGAGE CAPITAL, INC. TO CONFIRMATION OF
CHAPTER 13 PLAN**

DLJ Mortgage Capital, Inc. (hereinafter Secured Creditor), objects to confirmation of Debtor's Chapter 13 plan and asserts in support of its Objection as follows:

1. The claims bar date is May 3, 2024. Secured Creditor intends to file a claim on or before the bar date with pre-petition arrears estimated at \$36,260.46.
2. Debtor's Plan provides for payment in the amount of \$9,500.00 towards the arrearage claim of the Secured Creditor.
3. Debtor's Plan understates the amount of the Secured Creditor's claim by \$26,760.46 and does not provide sufficient funding to pay said claim.
4. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Secured Creditor.
5. In addition, the Debtor's Plan fails to comply with 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, the Secured Creditor, DLJ Mortgage Capital, Inc., prays that the Court deny confirmation of the Debtor's Plan.

Respectfully submitted,

Date: April 18, 2024

By: /s/Denise Carlon

Denise Carlon, Esquire
KML Law Group, P.C.
The Lits Building
701 Market Street, Suite 5000
Philadelphia, PA 19106
215-627-1322
Attorney for Movant/Applicant

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CERTIFICATION OF SERVICE

I, the undersigned, hereby certify that the foregoing Objection to Confirmation was served by first class mail, postage pre-paid, upon the parties listed below on **April 18, 2024**.

Chapter 13 Trustee

Kenneth E. West, Trustee
Office of the Chapter 13 Standing Trustee
1234 Market Street - Suite 1813
Philadelphia, PA 19107
VIA ECF

Attorney for Debtor

Michael A. Cibik2 Esq.
1500 Walnut Street, Suite 900
Philadelphia, PA 19102
VIA ECF

Debtor

Kelvin Alvin Lashley
4 Donneybrook Lane
Collegeville, PA 19426
VIA U.S. MAIL

Date: April 18, 2024

By: **/s/Denise Carlon**

Denise Carlon, Esquire
KML Law Group, P.C.
The Lits Building
701 Market Street, Suite 5000
Philadelphia, PA 19106
215-627-1322
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ORDER

Upon consideration of the Objection to Confirmation of the Chapter 13 Plan filed by DLJ Mortgage Capital, Inc., it is **Ordered** and **Decreed** that confirmation is **denied**.

Bankruptcy Judge